

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

BRET MICHAELS and LAST CHILD
PRODUCTIONS,

Plaintiffs,

vs

5:10-CV-989

MICHAEL S. BANKS and ALOHA EVENTS, LLC,

Defendants.

APPEARANCES:

OF COUNSEL:

BIENSTOCK, MICHAEL LAW FIRM
Attorneys for Plaintiffs
411 Hackensack Avenue
Hackensack, NJ 07601

BRENT M. DAVIS, ESQ.
RONALD S. BIENSTOCK, ESQ.

MICHAEL S. BANKS
Defendant, Pro se
5 Oriole Path
Liverpool NY 13090

DAVID N. HURD
United States District Judge

DECISION and ORDER

Plaintiff brought this action asserting claims of breach of contract and defamation.

On April 29, 2011, the Honorable David E. Peebles, United States Magistrate Judge, advised, by Report-Recommendation, that plaintiffs' motion to strike the answer of Aloha Events, LLC, be granted, that the answer be stricken, and default be entered. No objections to the Report-Recommendation were filed.


Based upon a careful review of entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C.

636(b)(1). Accordingly, it is

ORDERED that

1. Plaintiffs' motion to strike the answer of Aloha Events, LLC, is GRANTED;
2. The answer of Aloha Events, LLC, is STRICKEN from the record; and
3. The Clerk of the Court is directed to enter default against Aloha Events, LLC.

IT IS SO ORDERED.


United States District Judge

Dated: May 27, 2011
Utica, New York.